App. F. IX-4

1927-8

File No. 89/27

Previous References (CB.)

Serial Nos. 172

Later References

Pressure

General and Revenue Secretariat.

Serial Nos. 172

Part B for Oct. 1927

SUBJECT

Question of transferring the supervision over Magistrates Courts to District & Sessions Judge.

(For Disposal at a Meeting)

No. C. 342

.....9.....1922-3

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause XII of the schedule)

Question of transferring the supervision over Magistrate' Courts to District and Sessions Judges.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

Chief Secretary to Government.

30th January 1923.

Extraordinary Member of Council.

6255-540
30.1.23

First Member of Council. Seen
Rees
31.1.23

Second Member of Council. Seen.

Third Member of Council.

G. R. S. 111-2]

General and Revenue Secretariat.

File No. 89 of 1917.

Serial No.

Two drafts relating to matters arising out of the Confidential portion of the Dewan's tour Note.

Ordered by the Dewan to be submitted to the Second Member for concurrence or other orders.

Sd.
Second Member. 9/1

May I proceed with Civil Court. But I do not like to commit myself in any particular direction at this stage. The question of the transfer of Civil Court work to Magistracy is one which involves such a fundamental change in the system of administration that I do not like to express any opinion without full discussion.

10/1/18

Imperial Expenditure

Dewan

by

Mr. Curtis not consulted in any way. Draft may issue.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

C.S. File No. 89 of 1923

Serial No.

Re reply of the Chief Court supporting the proposal to transfer the supervision over subordinate magistrates to District Sessions Judges is submitted for perusal—

If the idea commends itself personally detailed notes will have to be worked out. Roughly the extra cost would be about Rs 30,000 per annum as per calculation sheet below—

Hon Member

Dewan

[illegible]

There is another point which should be discussed in Council. That point may be looked into.

18/1/23.

C.S. 4619 18-1-23

C.S.

Memorandum for the Council

Re the proposal to transfer the supervision over subordinate magistrates to District Sessions Judges. The Chief Court's reply is submitted to the Dewan for perusal. The matter should be discussed in Council.

Dewan 17.1.1923

NOTE—Contn. sheet.

Subject. B/ ~~16.~~ 23. 342 (4

Question of transferring the supervision over Magistrates Courts to District and Sessions Judges.

.....

OPINION OF THE COUNCIL.

Subject matter is connected with the Department of Judicial & Legislative Dept

21/9/25 —

Judiciary copies 4 ary 2

Mr. Dr 22.2.25

This was among the files in the Confidential box. May be returned to CB.

CB. 4/10

B

CHIEF SECRETARY. 10 OCT 1927

Order May this be forwarded? Mr 9/10/27 11/10

(1)

B

Allowance of Judge -	12,000 -
Salary of Registrar -	7,972
Contract Rents -	2,680
Servants	1000 -
Extra Clerical Assistant Registrar	1000 -
Travelling allowance -	1000 -
Rent & Contingencies	3000
	28,652

Total

(6

No: 4065/CB(8)
Encl: 1. 8/11.1.1923.

ISSUED.

To C.B. 89-27-1

The Registrar of the
Chief Court in Mysore.

Sir,

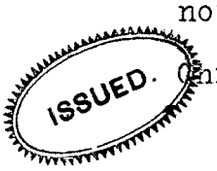
I am directed to enclose an extract from the confidential portion of the notes of the Dewan's tour in the Districts of Kolar, Tumkur and Chitaldrug in Agust 1922 relating to the Judicial Department. I am to request that the Government may be favoured with the views of the Chief Court on the suggestion about ~~the~~ transferring the supervision over Magistrates' courts to District and Sessions Judges so that more effective supervision of work in the Judicial Department both over the Munsiffs and Magistrates may be enforced in future under the Separation scheme. If necessary it may be expedient to add to the number of District and Sessions Judges in the State by one.

I have, etc.,

Chief Secretary to Government.

KM/CLG.

Confidential portion of the Dewan's tour notes in the districts of Kolar, Tumkur and Chitaldrug in the month of August 1922.



JUDICIAL DEPARTMENT.

The Judicial work in the Districts where there has been no separation in the executive and judicial functions is at present very unsatisfactory. There is a general desire on the part of the people to have the separation scheme extended to these districts and it is necessary to make a beginning next year at - - least in the Kolar district. By a judicious redistribution of work, it may be possible to introduce the scheme at a minimum cost. The question of supervision over the Magistrates' courts is an important one. It is clear that the Dist. Magistrates have not been able to exercise this supervision with the result that there is considerable delay in the disposal of cases, unnecessary adjournments and great hardship to the people. The question of transferring this supervision to District and Session Judges -a principle which has been very strongly enunciated in the recent report for the separation of Executive and Judicial functions in Bengal- deserves in my opinion, some consideration.

X X

'Extract'

(8

Confidential portion of the Dewan's tour notes in the Kolar, Tumkur and Chitaldrug Districts in August last.

JUDICIAL DEPARTMENT.

The Judicial work in the Districts where there has been no separation in the executive and judicial functions is at present very unsatisfactory. There is a general desire on the part of the people to have the separation - - scheme extended to these districts and it is necessary to make a beginning next year at -- least in the Kolar district. By a judicious redistribution of work, it may be possible to introduce the scheme at a minimum cost.

X X X

ISSUED

No: 4066/CB.

Dated 11-1-1923.

The above extract is forwarded with compliments to the General Secretary for favour of further action.

67
9.1

By order,

Chief Secretary to Government.

KM/CLG.

CONFIDENTIAL

CB. 1965
CB. 89-27-2

Telegraphic Address. "JUSTICE"

CHIEF COURT OF MYSORE

Bangalore, dated 17th January 1923.

No

FROM

A. SREENIVASARAGAVACHARI, ESQ., B.,A., B.L.,
Registrar, Chief Court of Mysore.

4
Reply
17/1/23

To

K. M a t t h a n, Esq., B.A.,
Chief Secretary to the Govt. of
H. H. the Maharaja of Mysore,
B a n g a l o r e.

SIR,

I am directed to acknpwledge the receipt of your letter No. 4065/ C.B. dated 11th January 1923, with its enclosure, requesting the views of the Chief Court on the Dewan's suggestion about transferring the supervision over Magistrate's courts to District and Session Judges.

In reply I am to state that the Judges would very strongly welcome and support the suggested transference, both on general principles and for practical reasons connected with the efficiency of Judicial administration. They have no doubt that the step contemplated will result in more effective supervision and greater control over the work of Magistrates by District and Sessions Judges as well as by the Chief Court, thus placing both branches of Judicial work, Criminal and Civil, as far as possible on the same footing in that respect.

I am to observe that the proposal may entail, in addition to the creation of an extra District and Sessions Judge (for whom adequate civil work Original and Appellate, can easily be found by suitable re-adjustments) also a revision of the clerical establishment

of the existing District and Sessions Judges and the Chief Court, with possibly a corresponding reduction in the clerical staffs of District Magistrates; but the net extra cost, whatever it may be, undoubtedly will be more than made up by the increased efficiency likely to result. An amendment of Section 17 and other provisions of the Code of Criminal Procedure will also be required to give effect to the proposal. But if the general policy of Government be definitely laid down, the details of consequential and other changes can be easily worked out and will be submitted for the approval of Government, if so desired.

I have the honour to be

Sir,

Your most obedient servant,

Theennisahapuwela

A.S.R. REGISTRAR. 17/1/23